

REMARKS

The present invention relates to an adhesive label comprising a circuit substrate, electronic component formed on at least one surface of the circuit substrate, and an adhesive layer on the electronic component; the adhesive layer can be applied to an article.

In the Office Action dated May 16, 2005, the drawing was objected to. Further, claims 1, 2 and 4-7 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Tanimura et al. (U.S. Pat. No. 6,065,701) in view of “Applicants’ admission.”

In the present Amendment, claim 1 has been amended for clarity. Claims 8-15 have been added. Claim 8 is supported by the specification, for example, at page 4, lines 2-7 from the bottom and Fig. 1. Claim 10 is supported by the specification, for example, at page 4, lines 2-7 from the bottom, page 5, lines 4-5, and Fig. 2. Claims 12 and 14 are supported by the specification, for example, at page 4, lines 2-7 from the bottom, page 5, lines 4-5, and page 6, lines 2-7. Claims 9, 11, 13 and 15 are supported by the specification, for example, at page 9, lines 7-9. Claim 3 was previously canceled. No new matter has been added and entry of the Amendment is respectfully submitted to be proper. Upon entry of these amendments, claims 1, 2 and 4-15 will be all the claims pending in the application.

I. Response to Drawing Objection

In Paragraph No. 4 of the Office Action, the Examiner indicates that Figure 3 should be designated by a legend such as --Prior Art--.

Applicants respectfully submit that Figure 3 has previously been amended to recite “Prior Art.” The proposed drawing correction was submitted on April 29, 2003 and approved as indicated in the Office Action dated June 2, 2003. The corrected drawing was submitted December 2, 2003 and resubmitted on February 2, 2004, and accepted as indicated in the Office Action dated March 17, 2004. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the objection to the drawing. Applicants attach hereto an additional copy of the replacement sheet of the drawing as a courtesy.

II. Response to Rejection Under 35 U.S.C. § 103(a)

In Paragraph No. 5 of the Office Action, claims 1, 2 and 4-7 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Tanimura et al. in view of “Applicants’ admission.”

Applicants respectfully traverse the rejection for at least the following reasons.

The specification of the present application describes at pages 6 to 7, that the data carrier element of the present invention may be composed of electronic components and electric circuit. The “electric circuit” comprises lead wires and antenna coils, whereas the “electronic components” include, e.g., an IC chip, a battery, a capacitor, a resistor, a coil, a diode, or the like.

Further, the specification of the present application mentions in the “Background Art,” that “the contactless data carrier element may be prepared by separately forming a part of an electric circuit on each side of the circuit substrate 1, and connecting one to the other via a through-hole” (page 2, lines 2-4).

That is, Applicants describe in the present specification, that the contactless data carrier element prepared by separately forming a part of an “electric circuit,” i.e., antenna coils, on each side of the circuit substrate was known. However, there is no indication that the contactless data carrier element prepared by separately forming a part of an “electronic components” on each side of the circuit substrate was known.

The specification of the present application describes, in the paragraph bridging pages 1 and 2, a typical conventionally used adhesive label-type data carrier. As illustrated in Fig. 3, the entire data carrier element (2 and 21) is formed on one side of circuit substrate 1, however, adhesive layer 5 is not in direct contact with the entire data carrier element. Moreover, in Tanimura et al, the electronic element (antenna + IC20) is located on one side of substrate 16, and adhesive layer 17 is not in direct contact with the electronic element (Fig. 2). Accordingly, even if there might be motivation to combine Tanimura et al with “Applicants’ admission,” the resulting structure would still not be the present invention, wherein the adhesive layer is in direct contact with the electronic components.

In view of the foregoing, Applicants respectfully submit that the present claims are not obvious over Tanimura et al. in view of "Applicants' admission" and the rejection should be withdrawn.

III. Conclusion

In view of the above, reconsideration and allowance of claims 1, 2 and 4-15 are now believed to be in order, and such actions are hereby earnestly solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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